Docket No. AUS9-2000-0295-US1   *PATENT*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Berstis et al.** §	
§	Group Art Unit: **2178**
Serial No. **09/652,365** §	
§	Examiner: **Burge, Londra C.**
Filed: **August 31, 2000** §	
§	
For: **Method and Apparatus in a Data** §	
Processing System for Word Based §	
Render Browser for Skimming or	
Speed Reading Web Pages	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF (37 C.F.R. 41.37)

This brief is in furtherance of the Notice of Appeal, filed in this case on December 16, 2004.

The fees required under § 41.20(B)(2), and any required petition for extension of time for filing this brief and fees therefore, are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

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REAL PARTY IN INTEREST

The real party in interest in this appeal is the following party: International Business Machines Corporation, as reflected in the Assignment recorded on August 31, 2000, at Reel 011130, Frame 0680.

RELATED APPEALS AND INTERFERENCES

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no such appeals or interferences.

STATUS OF CLAIMS

A. TOTAL NUMBER OF CLAIMS IN APPLICATION

Claims in the application are: 1-36.

B. STATUS OF ALL THE CLAIMS IN APPLICATION

1. Claims canceled: None.
2. Claims withdrawn from consideration but not canceled: None.
3. Claims pending: 1-36.
4. Claims allowed: None.
5. Claims rejected: 1-36.
6. Claims objected to: None.

C. CLAIMS ON APPEAL

The claims on appeal are: 1-36.

STATUS OF AMENDMENTS

There are no amendments after the Final Rejection that was mailed November 3, 2004.

SUMMARY OF CLAIMED SUBJECT MATTER

Applicants' independent claim 1 describes a method in a data processing system for modifying original content of a document. A request for modified content is received. (Specification page 17, lines 19-21.) In response to each receipt of the request, the original content is modified using a set of rules by making selected content in the document invisible without degrading readability of the document. (Specification page 12, lines 7-28.) The document retains its original physical and spatial characteristics after the content is modified. Selected content in the document is made invisible to increase a speed at which a user can read the document. (Specification page 12, line 29 through page 13, line 10.) The document is displayed having the original physical and spatial characteristics. (Specification page 17, line 28, through page 18, line 2.)

Applicants' independent claim 9 describes a method in a data processing system for altering original content for a web page containing a set of words. A request to alter the original content of the web page is received. (Specification page 17, lines 19-21.) In response to each receipt of the request, the original content is altered by reducing the set of words in the web page to generate a modified content of the web page by making some of the set of words invisible without degrading readability of the web page. (Specification page 12, lines 7-28.) The web page retains its original physical and spatial characteristics after the original content is altered. (Specification page 17, line 28, through page 18, line 2.) The set of words is reduced by making some of the set of words invisible using a set of rules and wherein the set of words in the modified web page retains key words allowing identification of the content of the web page. (Specification page 18, lines 5-23.)

Applicants' independent claim 16 describes a data processing system comprising a bus system, a communications adapter connected to the bus, wherein the communications adapter provides for data transfer to and from the data processing system, a memory connected to the bus system, wherein the memory includes a set of instructions, and a processor unit connected to the bus. (Specification page 8, line 12 through page 12, line 6.) The processor unit executes the set of instructions to: receive a request to alter original content of a web page and reduce the set of

words in the web page (Specification page 17, lines 19-21.), in response to each receipt of the request by making selected content of the original content invisible without degrading readability of the web page (Specification page 12, lines 7-28.), the web page retains its original physical and spatial characteristics after the content is modified (Specification page 17, line 28, through page 18, line 2.), wherein the set of words is reduced using a set of rules and wherein the set of words in the modified web page retains key words allowing identification of the content of the web page. (Specification page 18, lines 5-23.)

Applicants' independent claim 20 describes a data processing system for modifying original content of a document. Receiving means are included for receiving a request for modified content. (Specification page 17, lines 19-21.) In response to each receipt of the request, modifying means are included for modifying the original content, using a set of rules, by making selected content in the document invisible without degrading readability of the document. (Specification page 12, lines 7-28.) The document retains its original physical and spatial characteristics after the content is modified. Selected content in the document is made invisible to increase a speed at which a user can read the document. (Specification page 12, line 29 through page 13, line 10.) Displaying means are included for displaying the document having the original physical and spatial characteristics. (Specification page 17, line 28, through page 18, line 2.)

Applicants' independent claim 28 describes a data processing system for altering original content for a web page containing a set of words. Receiving means are included for receiving a request to alter original content. (Specification page 17, lines 19-21.) In response to each receipt of the request, altering means are included for altering the original content by reducing the set of words in the web page to generate a modified web page by making some of said set of words invisible without degrading readability of said web page. (Specification page 12, lines 7-28.) The web page retains its original physical and spatial characteristics after the original content is altered. (Specification page 17, line 28 through page 18, line 2.) The set of words is reduced using a set of rules wherein the set of words in the modified web page retains key words allowing identification of the content of the web page. (Specification page 18, lines 5-23.)

Applicants' independent claim 35 describes a computer program product in a computer readable medium for use in a data processing system for modifying original content of a

document. Instructions are included for receiving a request for modified content. (Specification page 17, lines 19-21.) In response to each receipt of the request, instructions are included for modifying the original content, using a set of rules, by making selected content in the document invisible without degrading readability of the document. (Specification page 12, lines 7-28.) The document retains its original physical and spatial characteristics after the content is modified. Selected content in the document is made invisible to increase a speed at which a user can read the document. (Specification page 12, line 29 through page 13, line 10.) Instructions are included for displaying the document having the original physical and spatial characteristics. (Specification page 17, line 28, through page 18, line 2.)

Applicants' independent claim 36 describes a computer program product in a computer readable medium for use in a data processing system for altering original content for a web page containing a set of words. Instructions are included for receiving a request to alter the original content. (Specification page 17, lines 19-21.) In response to each receipt of the request, instructions are included for altering the original content by reducing the set of words in the web page to generate a modified web page by making some of the set of words invisible without degrading readability of the web page. (Specification page 12, lines 7-28.) The web page retains its original physical and spatial characteristics after the original content is altered. (Specification page 17, line 28 through page 18, line 2.) The set of words is reduced using a set of rules wherein the set of words in the modified web page retains key words allowing identification of the content of the web page. (Specification page 18, lines 5-23.)

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A.   GROUND OF REJECTION 1 (Claims 1-15 and 20-36)

Claims 1-15 and 20-36 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,996,011 issued to *Humes* in view of U.S. Patent 6,286,001 issued to *Walker*.

B.   GROUND OF REJECTION 2 (Claims 16-19)

Claims 16-19 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,996,011 issued to *Humes* in view of U.S. Patent 6,510,458 issued to *Berstis*.

ARGUMENT

A.   GROUND OF REJECTION 1 (Claims 1-15 and 20-36)

Claims 1-15 and 20-36 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,996,011 issued to *Humes* in view of U.S. Patent 6,286,001 issued to *Walker*. This position is not well founded.

Applicants' independent claims 1, 20, and 35 describe modifying content of a document by making selected content invisible without degrading readability of the document. The document retains its original physical and spatial characteristics after the content is modified. Selected content in the document is made invisible to increase a speed at which a user can read the document.

Humes teaches filtering text data in a Web page that is received from the Internet. The user receives only a portion of the filtered web page. Objectionable or target data is filtered from the page before the page is displayed. If the page does contain objectionable text, the text is filtered by replacing it with a filler, such as a series of dashes. If the requested page contains a large amount of objectionable material, a "forbidden" page is displayed instead of the web page.

Humes does not teach modifying the original content in a document without degrading readability of the document. *Humes* teaches replacing selected words and/or phrases with a filler, such as a series of dashes, without regard to the readability of the document. The only consideration in *Humes* is whether a particular word or phrase is objectionable. If that word or phrase is objectionable, that word or phrase is replaced without any consideration as to whether the replacement will affect the readability of the document. For example, if a particular word is a verb, that word will be replaced. *Humes* does not take into consideration whether the word is important to the understanding of the document. Replacing words in a sentence, such as the verb, without regard to readability of the document may result in a final document that makes no sense at all.

In addition, objectionable words are replaced regardless of the number of words that have already been replaced. For example, if a sentence contains ten words and nine of them are deemed objectionable, those nine words will be replaced by *Humes* will dashed. The result will be a single word that is displayed to the user. According to *Humes*, words will be replaced

regardless of whether or not the final sentence is comprehendible. Replacing nine words in a ten-word sentence would degrade the readability of the document. *Humes* would permit such a replacement because *Humes* does not take into consideration whether the readability of the document will be degraded.

The Examiner states that *Humes* teaches modifying original content by making selected content invisible without degrading readability of the document. The Examiner refers to Abstract line 3, and column 5, line 26 as examples of where *Humes* teaches these features.

The Abstract, line 3, states that certain data is filtered from the data that is received. Column 5, line 26, states that the page is modified if certain rules are met. Neither section of *Humes* referred to by the Examiner teaches taking into consideration the readability of the document. In fact, nothing in *Humes* teaches taking into consideration the readability of the document.

As the Examiner states, *Humes* does not teach retaining the original physical and spatial characteristics of a document or web page after the content of that page has been modified. Applicants claim modifying the content of a requested document by making some of the content invisible. The document is then displayed, having some of its content rendered invisible, but still keeping the document's original physical and spatial characteristics. According to *Humes*, the original physical and spatial characteristics of the page are not retained because objectionable content is removed from the page. The Examiner relies on *Walker* to teach these features.

Specifically, the Examiner relies on column 3, lines 15-21 to teach displaying the document having some of its content rendered invisible, but still keeping the original physical and spatial characteristics of the document. Column 3, lines 15-21 describe generating a checksum value for a web page and then when this web page is accessed again at a later time, determining a new checksum that is compared to the original checksum. In this manner a determination can be made as to whether the later accessed page is the same as the page when it was originally accessed.

Walker does not teach displaying the document having some of its content rendered invisible, but still keeping the original physical and spatial characteristics of the document. *Walker* teaches adding a web page to a list of permitted pages that can be accessed and generating a baseline value, such as a checksum, that is calculated using the content of the web

The combination of *Humes* and *Walker* does not render Applicants' claims unpatentable because the combination does not describe, teach, or suggest modifying content of a document by making selected content invisible without degrading readability of the document, the document retaining its original physical and spatial characteristics after the content is modified, or selected content in the document being made invisible to increase a speed at which a user can read the document.

Applicants' independent claims 9, 28, and 36 describe modifying content of a web page by making some of the set of words invisible without degrading readability of the page. The web page retains its original physical and spatial characteristics after the content is modified.

As described above, *Humes* does not teach modifying the content of a web page without degrading readability of the page. Therefore, the combination of *Humes* and *Walker* does not teach making some of the set of words invisible without degrading the readability the page. The combination of *Humes* and *Walker* does not teach the web page retaining its original physical and spatial characteristics after the content is modified.

The combination of *Humes* and *Walker* does not render Applicants' claims unpatentable because the combination does not describe, teach, or suggest modifying content of a web page by making some of the set of words invisible without degrading readability of the page, or the web page retaining its original physical and spatial characteristics after the content is modified.

B.   GROUND OF REJECTION 2 (Claims 16-19)

Claims 16-19 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,996,011 issued to *Humes* in view of U.S. Patent 6,510,458 issued to *Berstis*. This position is not well founded.

The Examiner did not state that claims 16-19 were rejected over *Humes* in view of *Walker* and *Berstis*. The Examiner stated that claims 16-19 were rejected over *Humes* only in view of *Berstis*. However, in the body of the rejection the Examiner also relies on *Walker*. Therefore, Applicants will respond as if the claims were rejected over the combination of *Humes*, *Walker*, and *Berstis*.

Claim 16 describes a data processing system comprising a bus system, a communications adapter connected to the bus, wherein the communications adapter provides for data transfer to

and from the data processing system, a memory connected to the bus system, wherein the memory includes a set of instructions, and a processor unit connected to the bus. The processor unit executes the set of instructions to make selected content of the original content invisible without degrading readability of the web page and where the web page retains its original physical and spatial characteristics after the content is modified.

The Examiner states that the combination of *Humes* and *Walker* teaches the features of making selected content of the original content invisible without degrading readability of the web page and where the web page retains its original physical and spatial characteristics after the content is modified. The Examiner relies on *Berstis* to supply the features of a data processing system comprising a bus system, a communications adapter connected to the bus, wherein the communications adapter provides for data transfer to and from the data processing system, a memory connected to the bus system, wherein the memory includes a set of instructions, and a processor unit connected to the bus.

The combination of *Humes*, *Walker*, and *Berstis* does not describe, teach, or suggest, either singly or in combination, making selected content of the original content invisible without degrading readability of the web page, or the web page retaining its original physical and spatial characteristics after the content is modified. Therefore, the combination of *Humes*, *Walker*, and *Berstis* does not describe, teach, or suggest, either singly or in combination, making selected content of the original content invisible without degrading readability of the web page or the web page retaining its original physical and spatial characteristics after the content is modified in combination with a data processing system comprising a bus system, a communications adapter connected to the bus, wherein the communications adapter provides for data transfer to and from the data processing system, a memory connected to the bus system, wherein the memory includes a set of instructions, and a processor unit connected to the bus.
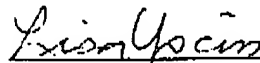
Therefore, the combination of *Humes*, *Walker*, and *Berstis* does not render Applicants' claims unpatentable because the combination does not describe, teach, or suggest making selected content of the original content invisible without degrading readability of the web page or the web page retaining its original physical and spatial characteristics after the content is modified.

C.   CONCLUSION

The combination of *Humes* and *Walker* does not render Applicants' claims unpatentable because the combination does not describe, teach, or suggest modifying content of a document by making selected content invisible without degrading readability of the document, the document retaining its original physical and spatial characteristics after the content is modified, or selected content in the document being made invisible to increase a speed at which a user can read the document.

The combination of *Humes* and *Walker* does not render Applicants' claims unpatentable because the combination does not describe, teach, or suggest modifying content of a web page by making some of the set of words invisible without degrading readability of the page or the web page retaining its original physical and spatial characteristics after the content is modified.

The combination of *Humes*, *Walker*, and *Berstis* does not render Applicants' claims unpatentable because the combination does not describe, teach, or suggest making selected content of the original content invisible without degrading readability of the web page or the web page retaining its original physical and spatial characteristics after the content is modified in combination with a data processing system comprising a bus system, a communications adapter connected to the bus, wherein the communications adapter provides for data transfer to and from the data processing system, a memory connected to the bus system, wherein the memory includes a set of instructions, and a processor unit connected to the bus. Therefore, Applicants' claims are believed to be patentable over the cited prior art.

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page. At a later time if a user wants to access this page again, another value is calculated using the current content of the web page. If the baseline value and the current value are the same, the content of the web page has not changed and the page can be accessed. If the baseline value and the current value are different, the content has changed and the user will not be permitted to access the page.

Walker does not teach a document that retains its original physical and spatial characteristics after content in the document has been modified. Walker teaches comparing a document's content at a baseline time to the content of the document at the current time to determine whether the content has changed. If the content has not changed, that page is displayed. Thus, the page that is displayed by Walker is the original page before any content in the page was modified. If content in the page is modified, the modified page is not displayed. Therefore, Walker does not teach a document that retains its original physical and spatial characteristics after content in the document has been modified.

Applicants also claim selected content being made invisible to increase a speed at which a user can read the document. Humes provides no teaching about the speed at which a user can read a document. Humes certainly does not provide a teaching about selected content being made invisible to increase the speed.

The Examiner refers to column 6, line 37 as teaching this feature. Column 6, line 37 states that text may be filtered. However, nothing in this section of Humes teaches anything about the speed at which a user can read the document. The Examiner appears to be assuming that by filtering text, a user will be able to read the document faster. However, it is very likely that the opposite will occur. By filtering content based just on whether particular words or phrases are objectionable without regard to the readability of the document, the readability of the filtered document may become more difficult resulting in a decrease in the speed at which a user can read the filtered document. If words or phrases are replaced with fillers such as dashes, it is more likely that it will take a reader a longer amount of time to read the document because the reader must struggle to determine the meaning of the document having words that are now replaced with fillers. It is easier, in an environment such as claimed by Applicants, to read a document when content has been made invisible and when that content was selected without degrading the readability of the document.

CLAIMS APPENDIX

The text of the claims involved in the appeal reads:

1. A method in a data processing system for modifying original content of a document, the method comprising:

receiving a request for modified content;

in response to each receipt of said request, modifying said original content, using a set of rules by making selected content in said document invisible without degrading readability of said document;

said document retaining its original physical and spatial characteristics after said content is modified, selected content in the document being made invisible to increase a speed at which a user can read the document; and

displaying said document having said original physical and spatial characteristics.

2. The method of claim 1, wherein the document is a web page.

3. The method of claim 1, wherein the document is a hypertext markup language document.

4. The method of claim 1, wherein the receiving step and the modifying step are performed in a server data processing system.

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5.   The method of claim 1, wherein the receiving step and the modifying step are performed in a client data processing system.

6.   The method of claim 1, wherein the set of rules includes rules to make words invisible.

7.   The method of claim 1, wherein the set of rules includes rules to retain words.

8.   The method of claim 1, wherein the set of rules includes rules to replace words.

9.   A method in a data processing system for altering original content for a web page containing a set of words, the method comprising:

receiving a request to alter the original content of said web page;

in response to each receipt of said request, altering said original content by reducing the set of words in the web page to generate a modified content of said web page by making some of said set of words invisible without degrading readability of said web page;

said web page retaining its original physical and spatial characteristics after said original content is altered, wherein the set of words is reduced by making said some of said set of words invisible using a set of rules and wherein the set of words in the modified web page retains key words allowing identification of the content of the web page.

10.   The method of claim 9, wherein the web page is a hypertext markup language document.

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11. The method of claim 9, wherein the receiving step and the altering step are performed in a server data processing system.

12. The method of claim 9, wherein the receiving step and the altering step are performed in a client data processing system.

13. The method of claim 9, wherein the set of rules includes rules to make words invisible.

14. The method of claim 9, wherein the set of rules includes rules to retain words.

15. The method of claim 9, wherein the set of rules includes rules to replace words.

16. A data processing system comprising:

a bus system;

a communications adapter connected to the bus, wherein the communications adapter provides for data transfer to and from the data processing system;

a memory connected to the bus system, wherein the memory includes a set of instructions; and

a processor unit connected to the bus, wherein the processor unit executes the set of instructions to receive a request to alter original content of a web page and reduce the set of words in the web page, in response to each receipt of said request by making selected content of said original content invisible without degrading readability of said web page; said web page retaining its original physical and spatial characteristics after said content is modified, wherein

the set of words is reduced using a set of rules and wherein the set of words in the modified web

page retains key words allowing identification of the content of the web page.

17.   The data processing system of claim 16, wherein the bus system includes a primary bus

and a secondary bus.

18.   The data processing system of claim 16, wherein the processing unit comprises one

processor.

19.   The data processing system of claim 16, wherein the processing unit comprises a

plurality of processors.

20.   A data processing system for modifying original content of a document, the data

processing system comprising:

        receiving means for receiving a request for modified content;

        in response to each receipt of said request, modifying means for modifying said original

content, using a set of rules, by making selected content in said document invisible without

degrading readability of said document;

        said document retaining its original physical and spatial characteristics after said content

is modified, selected content in the document being made invisible to increase a speed at which a

user can read the document; and

        displaying means for displaying said document having said original physical and spatial

characteristics.

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21. The data processing system of claim 20, wherein the document is a web page.

22. The data processing system of claim 20, wherein the document is a hypertext markup language document.

23. The data processing system of claim 20, wherein the receiving means and the modifying means are located in a server data processing system.

24. The data processing system of claim 20, wherein the receiving means and the modifying means are located in a client data processing system.

25. The data processing system of claim 20, wherein the set of rules includes rules to make words invisible.

26. The data processing system of claim 20, wherein the set of rules includes rules to retain words.

27. The data processing system of claim 20, wherein the set of rules includes rules to replace words.

28. A data processing system for altering original content for a web page containing a set of words, the data processing system comprising:

receiving means for receiving a request to alter original content;

in response to each receipt of said request, altering means for altering said original

content by reducing the set of words in the web page to generate a modified web page by making

some of said set of words invisible without degrading readability of said web page; and

said web page retaining its original physical and spatial characteristics after said original

content is altered, wherein the set of words is reduced using a set of rules and wherein the set of

words in the modified web page retains key words allowing identification of the content of the

web page.

29.   The data processing system of claim 28, wherein the web page is a hypertext markup

language document.

30.   The data processing system of claim 28, wherein the receiving means and the altering

means are located in a server data processing system.

31.   The data processing system of claim 28, wherein the receiving means and the altering

means are located in a client data processing system.

32.   The data processing system of claim 28, wherein the set of rules includes rules to make

words invisible.

33.   The data processing system of claim 28, wherein the set of rules includes rules to retain

words.

34. The data processing system of claim 28, wherein the set of rules includes rules to replace words.

35. A computer program product in a computer readable medium for use in a data processing system for modifying original content of a document, the computer program product comprising:

instructions for receiving a request for modified content;

in response to each receipt of said request, instructions for modifying said original content, using a set of rules, by making selected content in said document invisible without degrading readability of said document;

said document retaining its original physical and spatial characteristics after said content is modified, selected content in the document being made invisible to increase a speed at which a user can read the document; and

instructions for displaying said document having said original physical and spatial characteristics.

36. A computer program product in a computer readable medium for use in a data processing system for altering original content for a web page containing a set of words, the computer program product comprising:

instructions for receiving a request to alter the original content;

in response to each receipt of said request, instructions for altering said original content by reducing the set of words in the web page to generate a modified web page by making some of said set of words invisible without degrading readability of said web page; and

said web page retaining its original physical and spatial characteristics after said original content is altered, wherein the set of words is reduced using a set of rules and wherein the set of words in the modified web page retains key words allowing identification of the content of the web page.

EVIDENCE APPENDIX

There is no evidence to be presented.

RELATED PROCEEDINGS APPENDIX

There are no related proceedings.